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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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KRISTIAN M. GERMANI, et al.,
Plaintiffs,
v.
SAFEWAY GROCERY, et al.,
Defendants.

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Case No. [17-cv-00742-JD](#)

**ORDER ADOPTING REPORT
AND RECOMMENDATION AND
DISMISSING CASE**

Re: Dkt. No. 7

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13 The Court has reviewed Chief Magistrate Judge Joseph Spero's report and
14 recommendation. Dkt. No. 7. No objections have been filed in response to the report, and the
15 time to file objections has expired. *See* Fed. R. Civ. P. 72(b).

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17 Plaintiffs have now twice been advised that they have not adequately demonstrated
18 indigence in this case, *see* Dkt. Nos. 5, 7, and yet they have still failed to either file a sufficient
19 application to proceed in forma pauperis signed by Collier or to pay the filing fee. The Court
20 agrees with Magistrate Judge Spero's recommendation that in this circumstance, the case should
be dismissed. Dkt. No. 7.

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22 The Court consequently adopts in full Magistrate Judge Spero's report and
recommendation, and orders the case dismissed without prejudice for failure to pay the filing fee.

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IT IS SO ORDERED.

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Dated: April 13, 2017

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JAMES DONATO
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KRISTIAN M. GERMANI, et al.,
Plaintiffs,
v.
SAFEWAY GROCERY, et al.,
Defendants.

Case No. 17-cv-00742-JD

CERTIFICATE OF SERVICE

SAFEWAY GROCERY, et al.,
Defendants.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 13, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Donald T. Collier
1639 Lemon Street
Vallejo, CA 94590

Kristian M. Germani
270 Monarch Court, C
Santa Rosa, CA 95401

Dated: April 13, 2017

Susan Y. Soong
Clerk, United States District Court

By: Lisa R. Clark
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO